

REMARKS/ARGUMENTS

Applicants thank the Examiner for the very thorough consideration given the present application.

Claims 1-7, 9-15 and 17-20 are now present in this application. Claims 1 and 13 are independent. By this reply, claims 8 and 16 have been canceled.

Reconsideration of this application, as amended, is respectfully requested.

Reasons for Entry of Amendments

Applicants respectfully request entry of this Amendment. Entry is proper since independent claims 1 and 13 incorporate respectively claims 8 and 16, which have already been considered by the Examiner. Thus this Amendment does not raise any new issues that would require further search and/or consideration. Further, the Amendment should be entered since the amendments to the claims automatically place the application in condition for allowance. In the alternative, it is respectfully requested that this Amendment be entered for the purpose of appeal because it reduces issues for the appeal.

Rejections Under 35 U.S.C. § 103(a)

Claims 1-11 and 13-19 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Kim (U.S. Patent No. 6,133,911). This rejection, insofar as it pertains to the presently pending claims, is respectfully traversed.

Independent claims 1 and 13 have been hereby amended to incorporate therein claims 8 and 16, respectively.

In the Response After Final Rejection filed on March 18, 2004, Applicants argued that Kim does not disclose, *inter alia*, “displaying . . . a main menu image including menu items for selecting functions or operations of said external device and menu items for obtaining a detailed menu of said external device” (emphasis added) as recited in independent claim 1 and similarly in claim 13. In response to this Applicants’ argument, the Examiner merely states in the Advisory Action dated April 8, 2004 that the rejection was not improper, but has not responded to the specific argument points that Applicants have made in the Response of Marcy 18, 2004. The Examiner is respectfully requested to explain her position in more detail in view of Applicants’ arguments if the Examiner were to maintain the rejection, so that Applicants can adequately address the Examiner’s rejection.

As argued in the previous Response, the Examiner equates Applicants’ external device to Kim’s pointing interface device 30 and equates Applicants’ audio/video apparatus to television receiver 40 shown in Fig. 1 of Kim. However, Kim’s device 30 is merely an interface for the pointing device 20 (i.e.,

a remote controller). Thus, Kim's displayed menu items are for selecting functions of the *audio/video apparatus*, and *not* the functions of *the external device* (the pointing interface device 30). That is, in Kim, the menu items displayed are associated with the function and/or operations of the *television* associated with the television receiver 40, such as a function selection menu, a sound selection menu, a picture selection menu, etc. (see column 1, lines 16-17, column 3, lines 58-65 of Kim).

In clear contrast, independent claim 1 requires, *inter alia*:

displaying, on the display unit of said audio/video apparatus, a main menu image including menu items for selecting functions or operations *of said external device* (emphasis added)

and independent claim 13 requires, *inter alia*:

a display unit to display thereon the main menu image, the main menu image including menu items for selecting functions or operations *of the external device* (emphasis added).

These features as recited in claims 1 and 13 are neither taught nor rendered obvious in view of Kim.

Further, Kim nowhere discloses displaying *menu items for obtaining a detailed menu of the external device* (the pointing interface device 30) as required by these claims.

Moreover, claims 1 and 13 as amended now require that the external device is an audio/video device. At Paragraph 12 of the final Office Action (page 8), the Examiner states "official notice is taken that [it] audio video devices are very well known in the art, therefore it would have been obvious

...to incorporate audio/video capabilities to Kim's external device...to extend the use of the device (perhaps to handicapped/disabled users as well). In other words, the Examiner seems to state that, just because a certain device is well known to everyone, it makes it obvious to incorporate it into any existing device. But this clearly is not the case and is not a motivation to modify Kim's the pointing device interface 30 as suggested by the Examiner. Kim's pointing interface device 30 (external device) is merely an interface for the pointing device 20 (remote controller). Its designated functions as specifically envisioned in Kim have nothing to do with having video/audio capabilities. Thus, Kim does not render obvious the claimed invention and the Examiner has not established a prima facie case of obviousness.

Accordingly, the rejection is improper and must be withdrawn.

Regarding the Examiner's "official notice" at Paragraphs 5 of the Final Office Action, Applicants respectfully challenge it as it pertains to independent claims 1 and 13. Applicants submit that the elements recited in the claims are not recited in isolation, but rather, are recited in combination with other elements. While certain of these elements may exist in the art, they are not well known in the recited combinations. Evidence is hereby requested with respect thereto.

Claims 12 and 20 have been rejected under 35 U.S.C. § 103(a) over Kim in view of Humpleman et al. (U.S. Patent No. 6,182,094). This rejection, insofar as it pertains to the presently pending claims, is respectfully traversed.

As discussed above, Kim fails to teach or suggest the above-noted features recited in independent claims 1 and 13 from which claims 12 and 20 depend, respectively. Further, Humpleman et al. does not correct this deficiency of Kim since Humpleman et al. is relied on for merely teaching the use of a specific interface. Thus, even if the references are combinable, assuming *arguendo*, the combination of references does not render obvious the claimed invention. Accordingly, the rejection is improper and must be withdrawn.

CONCLUSION

For the foregoing reasons, Applicants respectfully request the Examiner to reconsider and withdraw all of the rejections of record, and earnestly solicit an early issuance of a Notice of Allowance.

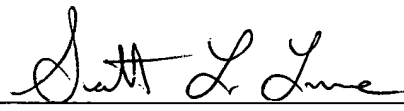
Should there be any matters which need to be resolved in the present application, the Examiner is respectfully requested to contact Esther H. Chong (Registration No. 40,953) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

Applicant(s) respectfully petitions under the provisions of 37 C.F.R. § 1.136(a) and 1.17 for a two-month extension of time in which to respond to the Examiner's Office Action. The Extension of Time Fee in the amount of \$420.00 is attached hereto.

If necessary, the Commissioner is hereby authorized in this, concurrent, and further replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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